IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22595 of 1995

Between:

Kasula Rajeshwar Rao S/o Late Kasula Barhmanandam
Kakatiya University, Warangal, R/o H.No.10-9-137
Shivalayam Street, Girmajipet, Warangal-02

..... PETITIONER

AND

1 Govt. of Andhra Pradesh
represented by the Secretary to Govt., Municipal-Administration &
Urban Development Department
Secretariat Hyd
2 Waragal Municipal Corpration
Warangal Rep. by the Commissioner

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, in the nature of Mandamus or any other appropriate writ or order or direction, commanding the respondent No.2 to allot to the petitioner on equivalent vacant house plot at Balasamudram layout area to the extent of 316 Sq.yds (Lp.No.232/87) in lieu of his 316.86 Sq yards house plot affected in 30 feet lay out road, subject to payment of the differential amount of Rs.50/- per square yards by the petitioner, duly declaring the impugned memo No.G2/12457/86.dt.23-5-95.of the town planning officer, Muncipal Corporation, Warangal, caused to be issued by the respondent No.2, as illegal and void, and to allow this writ petition with costs.

Counsel for the Petitioner: MR.B. Vinod Kumar

Counsel for the Respondent No.1: G.P for Muncipal Admn. & Urban Dev.

Counsel for the Rspondent No.2: Mr. R.Venugopal Reddy

The Court made the following:

ORDER:

None appeared for petitioner nor any representation made on his behalf. Learned Standing Counsel for second respondent Mr. K.Venugopal Reddy present.

Learned counsel for second respondent Municipality submitted that the matter was settled and petitioner was allotted Plot No. 27 in L.P.No.232/87 of Balasamudram admeasuring 266.66 sq.yards @ Rs.300/- per sq.yard in lieu of petitioner's plot No.WCLP No.15 of 1982, Laxmipuram, Warangal, which was acquired for laying a public road. Learned standing counsel also furnished the proceedings issued by the second respondent to that effect dated 6-12-2003 and a letter addressed by the petitioner to his counsel dated 7-12-2003 requesting his counsel to withdraw the writ petition.

In view of allotment of alternative land, no further orders are required to be passed in the present writ petition. Accordingly the same is dismissed as infructuous. No order as to costs.

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N.V. RAMANA, J

Dated: 2nd November, 2004

LSK/TVK

To

1 The Secretary,

Govt. of Andhra Pradesh
Municipal-Administration & Urban Development Department
Secretariat, Hyderabad.

2 The Commissioner,

Waragal Municipal Corpration
Warangal.

3 Two C.Cs. to the G.P. for Municipal Admn. & Urban Development,

High Court Buildings, Hyderabad. (OUT)

4. Two C.D. copies.